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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,143	09/27/2001	Hugo Cheung	38880.3300	6264

7590 07/23/2004

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EXAMINER

SHIN, CHRISTOPHER B

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/965,143	<b>Applicant(s)</b> CHEUNG ET AL.	
	<b>Examiner</b> Christopher B Shin	<b>Art Unit</b> 2182	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 16-24 is/are rejected.
- 7) ☒ Claim(s) 10-15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

### **DETAILED ACTION**

#### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 17-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. Claim 17 is an improperly dependent claim that is also grammatically awkward. Please review carefully and amend the claim.
- b. Claim 18 seems to be incomplete; therefore, the examiner cannot determine the mete and bound of the claim 18. The same applies to claims 19-22 for the similar reason.
- c. The metes and bounds of claims 17-22 cannot be properly determined for the above reasons; therefore, no art rejection can be applied at this time.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Beaman et al. (5,898,857).

- a. In figures 2-3 and the respective description sections teaches the all of the claimed limitations as follows:

Claim 24 Beaman et al. (figures 2-3)

- A data communication device for communicating data with a peripheral device
  - Feature of figure 2
- a central processing unit;
  - feature of (20)
- a bus interface in communication with the central processing unit;
  - feature of (50)
- at least one peripheral device
  - feature of (24)
- a receiving logic device configured to communicate with the bus interface
  - feature of (22)
- an individual bus coupled between the at least one peripheral device and the receiving logic device
- adads
  - feature of buses of figure 2

Claims 1-2 Beaman et al. (figures 2-3)

- A data communication device for communicating data with a peripheral device
  - Feature of figure 2
- a central processing unit;
  - feature of (20)
- a bus interface in communication with the central processing unit, comprising a receiver;
  - feature of (50)
- at least one peripheral device;
  - feature of (24)
- a receiving logic device configured to communicate with the receiver and configured to pass data to the receiver from a selected peripheral device which is selected from one of the at least one peripheral device;
  - feature of (22) communicate with (24) and configured to pass data to the (50)
- an individual bus coupled between the at least one peripheral device and the receiving logic device
  - feature of buses of figure 2
- a common transmission bus coupled between each of the at least one peripheral  
a common transmission bus

- b. Since the Beaman reference teaches all of the basic claimed limitations, the claimed invention of claims 1-2 and 24 are anticipated by the teachings the reference.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3-8, 9, 16 & 23, are rejected under 35 U.S.C. 103(a) as being unpatentable over Beaman et al. (5,898,857).

- c. As for claims 3-8, further dependent and limiting from claim 1, further discloses logic gates such as AND & OR gates, a comparator, and a multiplexor. However, such limitations of gates, comparators, and multiplexors are basic foundations of commonly known logical units such as the Beaman reference figures 2 & 3. In addition, the dependent claims do not clearly utilize such logic gates in a specific environment that are specific to the claimed environment. The examiner takes official notice one such well-known element for logical devices. One of ordinary skilled in the art knows that such limitations are basic and common compositions and foundations of logical devices of computer system. Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art to easily come up with the inventions form the

teachings of common knowledge and Beaman reference for the reasons stated above.

d. As for the method version claims 9, 16 and 23, the general teachings of the apparatus claims 1 and 24 are similarly applied. The examiner notes that the method claims 9, 16, and 23 further disclose the data signal controlling limitations that are not expressly disclosed by the Boeman reference; however, such signal controlling limitations are obvious characteristics of the Boeman's system for communication between the elements 20, 22, 24, 26, 28 & 50. of figures 2-3. Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art come up with the invention from the teachings of the apparatus claims 1 and 24.

***Allowable Subject Matter***

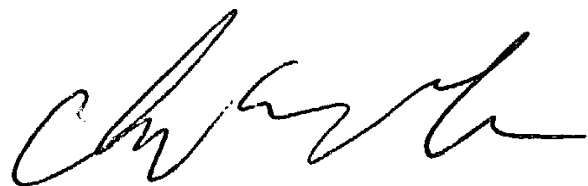
4. Claims 10-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher B Shin whose telephone number is 703-305-9658. The examiner can normally be reached on 6:30-5:00 M,Tu,Th,F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher B Shin  
Primary Examiner  
Of 2182



July 21, 2004  
CBS